

**SANTAMARIA AFFIDAVIT
EXHIBIT L
PLAINTIFF'S DEPOSITION
PP 80-82**

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2 exactly what it was. And I had spoken,
3 actually, even to a man at the New York
4 lottery before I paid it.

5 Q You paid it on the promise to be
6 repaid and then it wasn't going to be paid?

7 A Yes.

8 Q Do you remember any other
9 difficulty, whether it's chronological or not,
10 that you had with Paul Santamaria?

11 A Well, there was a loss that we took
12 from a new client, one of the bankers for a
13 couple of thousand dollars.

14 Q What was the name of that
15 particular customer, if you recall?

16 A Charles Bryant.

17 Q And you said this was a new
18 customer?

19 A Yes.

20 Q And the branch took a loss?

21 A Yes.

22 Q What happened with Mr. Santamaria?

23 A He questioned whether we were
24 overseeing, he questioned why we took a loss
25 and what we were doing about it.

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Q Under the circumstances, was that a
3 reasonable question?

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MS. GOODELL: Objection to the form
5 of the question.

6

A Yes.

7

Q What did you tell him?

8

A I told him that one of our tellers
9 hadn't put the new account hold on the deposit
10 and that when returns of deposits were coming
11 in -- returns of deposit were given
12 notification to Fifth Avenue branch, that was
13 how we discovered it.

14

But the banker hadn't called the
15 place of employment and hadn't verified the
16 phone number because the client had given a
17 false phone number and false place of
18 employment. And we would not have opened the
19 account.

20

Q Did you explain all this to
21 Mr. Santamaria?

22

A Yes, I did. And I held a meeting
23 with the staff and gave the staff a memo which
24 each person had to initial that they
25 understood what was required of them, as a

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2 teller in processing new account deposits, and
3 as a banker in opening new accounts.

4 Q Any other difficulties with Paul
5 Santamaria?

6 A There was an issue of a new teller
7 who showed a loss of a thousand dollars which
8 we could never find.

9 Q What did Paul Santamaria have to
10 say about that loss which couldn't be found?

11 A He told us that we should have had
12 designated an employee who's sole job was just
13 to stand by that teller for several days
14 watching him perform his job, for full
15 supervision.

16 Q Had the teller been through teller
17 training?

18 A Yes.

19 Q How had the teller performed during
20 teller training?

21 A Very well.

22 Q No problems?

23 A No.

24 Q And before the loss, when the new
25 teller was put on the line, were there any